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EXAMINER
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LAI, MICHAEL C

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2457

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/686,719	<b>Applicant(s)</b> LEE, JONG-PHIL	
	<b>Examiner</b> MICHAEL C. LAI	<b>Art Unit</b> 2457	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2010.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This office action is responsive to communication filed on 9/08/2010.

Claims 1-17 have been examined.

#### ***Response to Amendment***

2. The examiner has acknowledged the amended claims 1, 3-5, 9-14, and 17. The objection to the specification and the 101 rejection to claims 9-14, 17 have been corrected and withdrawn accordingly. The 112 second paragraph rejections to claims 1, 3-5, and 9-14 were not addressed properly and are sustained as follows. Claims 1-17 are pending.

#### ***Response to Arguments***

3. Applicant's arguments filed 9/8/2010 have been fully considered but they are not persuasive.

In the remarks, the applicant argues in substance that: A) Theimer fails to disclose or suggest Applicant's device that comprises displaying a homepage of the mobile telephone on a web browser when linked to the mobile telephone through the web browser of a telecommunication system, as recited in claim 1... Specifically, in Theimer's Fig. 3, the server 33 in block 1 is used for monitoring vehicle devices such as a heater and external browser 5 is can monitor the vehicle devices such as a heater. However, this is different than displaying a homepage of the mobile telephone since displaying monitoring of a vehicle involves displaying data items that are not homepages of the mobile telephone (see col 6, lines 55-61). B) Theimer fails to disclose an embedded web server

driving a CGI and/or ASP program to generate a command for communication between the mobile phone and a telecommunication system using the web browser, displaying data of a selected menu stored in the mobile phone on the web browser according to the command and updating a data updated in the web browser on the mobile telephone according to the command, as recited in claim 1...Theimer discloses performing communication between web servers and web browsers/other servers through CGI (see col. 1, lines 16-26 of Theimer). Theimer merely discloses connecting to the WEB server via a CGI (see column 4, lines 21-22). Theimer's disclosure fails to disclose or suggest the combination of features recited in claim 1 including an embedded web server driving a CGI and/or ASP program to generate a command for communication between the mobile phone and a telecommunication system using the web browser. C) Henry alone or in any combination, fails to disclose or suggest **updating a data updated in the web browser on the mobile telephone according to the command**, and transmitting a message confirming that data updated in the web browser has been updated in the mobile telephone to the web browser, as recited in claim 1. D) Henry fails to disclose or suggest that when data of a menu is updated in the web browser, driving, by the embedded web server of the mobile phone, the CGI AND/OR ASP program of the mobile phone to generate a command, and updating the same data updated in the mobile telephone according to the command, as recited in claim 3.

In response to A) Theimer discloses a mobile telephone for internet applications comprising at least one embedded Web server (Web Server 2) which can be coupled to at least one further server and to at least one client (Authorized Browser or Client 5) (see abstract and Fig. 1, 3). A homepage is a start page in a hypertext system. When Authorized Browser 5 is linked to the mobile telephone Web Server 2, the homepage must be displayed as a start point to the browser. Specifically, in Theimer's Fig. 3, the server 35 (Car Telephone) in block 1 is used for monitoring the car telephone and logically displaying the homepage of the car telephone (see col. 7, lines 13-16).

In response to B) as one skilled in the art knows when a user submits a form through a Web browser, the HTTP server executes a program (often called a CGI script or CGI program) and passes the user's input information to that program via CGI. The program then returns information to the server via CGI (see Microsoft Computer Dictionary, 5<sup>th</sup> Edition). Theimer discloses a mobile telephone for internet applications comprising at least one Web server (see abstract). Theimer further discloses communications between the Web server and the Web browser/other servers via a CGI (see column 4, lines 16-26). As Applicant admitted in the remark, "Theimer discloses performing communication between web servers and web browsers/other servers through CGI (see col. 1, lines 16-26 of Theimer). Theimer merely discloses connecting to the WEB server via a CGI (see column 4, lines 21-22)". Theimer clearly teaches the limitation "an embedded web server driving a CGI AND/OR ASP program to generate a

command for communication between the mobile phone and a telecommunication system using the web browser". Theimer further discloses displaying on authorized browser 5 (see column 3, lines 49-64). Theimer clearly teaches the limitation "displaying data of a selected menu stored in the mobile phone on the web browser according to the command". Note that according to Microsoft Computer dictionary, Fifth Edition, a command is "An instruction to a computer program that, when issued by the user, causes an action to be carried out. Commands are usually either typed at the keyboard or chosen from a menu". Since the specification does not describe what specifically a command is, **a command must be issued or executed**, not just generated, in order to carry out an action according to Microsoft Computer dictionary. As for the limitation "**updating a data updated in the web browser on the mobile telephone according to the command**", the examiner indicated in the office action that Theimer and Hauduc fail to specifically disclose the limitation. It is the combination of Theimer, Hauduc, and Henry that teaches this limitation. See C).

In response to C) Henry discloses a method over an interconnecting network using a web browser to manually make changes to the configuration of a digital transmitter device using an embedded-web server in the digital transmitter device (see paragraphs 0004, 0013, and 0014). Henry further discloses, for example, transmitting a message from the user of the digital transmitter device to the user of the remote device after the configuration has been updated (see Figure 4, step 418 and paragraph 0037). As discussed in B), **a command must be issued or**

**executed**, not just generated, in order to carry out an action. Thus the combination of Theimer, Hauduc, and Henry clearly teaches the limitation of “updating a data updated in the web browser on the mobile telephone according to the command, and transmitting a message confirming that data updated in the web browser has been updated in the mobile telephone to the web browser”.

In response to D) as one skilled in the art knows when a user submits a form through a Web browser, the HTTP server executes a program (often called a CGI script or CGI program) and passes the user's input information to that program via CGI. The program then returns information to the server via CGI (see Microsoft Computer Dictionary, 5<sup>th</sup> Edition). Theimer discloses a mobile telephone for internet applications comprising at least one Web server (see abstract). Theimer further discloses communications between the Web server and the Web browser/other servers via a CGI (see column 4, lines 16-26).

Theimer clearly teaches the limitation “an embedded web server driving a CGI AND/OR ASP program to generate a command for communication between the mobile phone and a telecommunication system using the web browser”. Henry discloses using a Web browser to edit and update the menu pages by which the configuration information is controlled. The updated configuration is eventually updated in the digital transmitter device (see para. 0013, 0014). Again as discussed in B), **a command must be issued or executed**, not just generated, in order to carry out an action. Thus, together, Theimer and Henry clearly teaches the limitation of “when data of a menu is updated in the web browser,

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driving, by the embedded web server of the mobile phone, the CGI AND/OR ASP program of the mobile phone to generate a command, and updating the same data updated in the mobile telephone according to the command”, as recited in claim 3.

Thus, in view of such, the rejection is sustained as follows:

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 1, 3-5, and 9-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "an embedded web server, for displaying a homepage of the mobile telephone on a web browser when linked to the mobile telephone through a web browser of a telecommunication system" in lines 3-5. It is unclear whether the web browser and the web browser of a telecommunication system are the same or not.

Claim 1 recites the limitation "a CGI and/or ASP program of the server driven by the embedded web server" in lines 10-11. It is unclear whether "the server" and "the embedded web server" are the same or not. If not, it is unclear what server it is referring to.

Claim 3 recites the limitation "...generate a command enabling communication between the mobile telephone and the telecommunication



system, and displaying data of the selected menu stored in the mobile phone on the web browser according to the command..." in lines 10-13. It is unclear whether the command is actually executed or not. If not, how the displaying according to the command is actually being carried out. Note that according to Microsoft Computer dictionary, Fifth Edition, a command is "An instruction to a computer program that, when issued by the user, causes an action to be carried out. Commands are usually either typed at the keyboard or chosen from a menu". Since the specification does not describe what specifically a command is, **a command must be issued or executed**, not just generated, in order to carry out an action according to Microsoft Computer dictionary.

Claim 3 recites the limitation "...generate a command enabling communication between the mobile telephone and the telecommunication system, and updating the same data updated in the mobile phone according to the command..." in lines 16-18. It is unclear whether the command is actually executed or not. If not, how the updating according to the command is actually being carried out. See discussion above.

Claims 4, 5, and 9-11 are rejected for similar reasons as for claim 3.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Theimer (US 6,519,241B1, hereinafter Theimer), in view of Hauduc et al. (US 6,993,568 B1, hereinafter Hauduc), and further in view of Henry et al (US 2003/0195952 A1, hereinafter Henry).

Regarding claim 1, Theimer discloses a device for managing information data in a mobile IP-based mobile telephone, the device comprising:

an embedded web server for displaying a homepage of the mobile telephone on a web browser when linked to the mobile telephone through a web browser of a telecommunication system [FIG. 1 Web server 2, Authorized browser 5, and column 3, lines 26-48], driving a CGI AND/OR ASP program to generate a command for communication between the mobile phone and the telecommunication system using the web browser [As one skilled in the art knows when a user submits a form through a Web browser, the HTTP server executes a program (often called a CGI script or CGI program) and passes the user's input information to that program via CGI. The program then returns information to the server via CGI (see Microsoft Computer Dictionary, 5<sup>th</sup> Edition). Theimer discloses communications between the Web server and the Web browser/other servers via a CGI (see column 4, lines 16-26). Theimer clearly teaches this limitation], displaying data of a selected menu stored in the mobile telephone on the web browser according to the command [col. 3, lines 49-64, display on authorized browser 5];

a CGI AND/OR ASP program of the server driven by the embedded web server to generate a command for communication between the mobile telephone and the telecommunication system using the web browser [col. 4, lines 16-26];

a homepage of the mobile telephone for displaying information management menus of the mobile telephone [col. 1, lines 34-44]; and

a memory for storing data of the information management menus [col. 4, lines 8-13, storage medium 12].

Theimer discloses substantially all the limitations, but fails to specifically disclose a language pack storing at least one language so that the information management menus can be displayed in a selected language.

However, Hauduc discloses the idea of using language packs that can convert the content of the Web pages into the desired language and render the translated content for the Web client [col. 2, lines 35-49]. Thus it would have been obvious to a person with ordinary skill in the art at the time the invention was made to modify the teaching of Theimer by incorporating Hauduc's idea for the purpose of providing the content of a Web application in the client's preferred language, thereby providing language localization for server-based applications.

Theimer and Hauduc disclose substantially all the limitations as described above, but fail to specifically disclose about updating a data updated in the web browser on the mobile telephone according to the command and transmitting a message confirming that data updated in the web browser has been updated in

the mobile telephone to the web browser. However Henry discloses a method over an interconnecting network using a web browser to manually make changes to the configuration of a digital transmitter device using an embedded-web server in the digital transmitter device [para. 0004, 0013, 0014, and 0037]. Thus it would have been obvious to a person with ordinary skill in the art at the time the invention was made to modify the teaching of Theimer and Hauduc by incorporating Henry's idea for the purpose of synchronizing the web browser with data on mobile phones by updating a data on the mobile phone via the web browser and transmitting a message confirming that data updated in the web browser has been updated in the mobile telephone to the web browser, thereby removing the burden for an administrator of the interconnecting network [para. 0004].

Regarding claim 2, Theimer further discloses wherein said information management menus represent information of the mobile telephone [col. 1, lines 34-44].

Regarding claim 3, Theimer discloses a method for managing information data in a mobile IP-based mobile telephone, the method comprising the steps of:

accessing the mobile telephone through an Internet web browser of a telecommunication system [FIG. 1, Authorized browser 5, and column 3, lines 26-48];

displaying a homepage of the mobile telephone on the web browser [col. 1, lines 34-44];

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displaying information management menus in the selected language [col. 3, lines 49-64, display on authorized browser 5];

when one menu is selected from the information management menus, driving, by an embedded web server of the mobile phone, a CGI AND/OR ASP program of the mobile phone to generate a command enabling communication between the mobile telephone and the telecommunication system, and displaying data of the selected menu stored in the mobile phone on the web browser according to the command [As one skilled in the art knows when a user submits a form through a Web browser, the HTTP server executes a program (often called a CGI script or CGI program) and passes the user's input information to that program via CGI. The program then returns information to the server via CGI (see Microsoft Computer Dictionary, 5<sup>th</sup> Edition). Theimer discloses communications between the Web server and the Web browser/other servers via a CGI (see column 4, lines 16-26). Theimer clearly teaches this limitation];

Theimer discloses substantially all the limitations, but fails to specifically disclose a language pack storing at least one language so that the information management menus can be displayed in a selected language. However, Hauduc discloses the idea of using language packs that can convert the content of the Web pages into the desired language and render the translated content for the Web client [col. 2, lines 35-49]. Thus it would have been obvious to a person

with ordinary skill in the art at the time the invention was made to modify the teaching of Theimer by incorporating Hauduc's idea for the purpose of providing the content of a Web application in the client's preferred language, thereby providing language localization for server-based applications.

Theimer and Hauduc disclose substantially all the limitations as described above, but fail to specifically disclose about data is updated in the web browser and same data updated in the mobile telephone according to the command and transmitting a message of successful update to the web browser. However Henry discloses a method over an interconnecting network using a web browser to manually make changes to the configuration of a digital transmitter device using an embedded-web server in the digital transmitter device [para. 0004, 0013, 0014, and 0037]. Thus it would have been obvious to a person with ordinary skill in the art at the time the invention was made to modify the teaching of Theimer and Hauduc by incorporating Henry's idea for the purpose of synchronizing the web browser with data on mobile phones by updating a data on the mobile phone via the web browser and transmitting a message confirming that data updated in the web browser has been updated in the mobile telephone to the web browser, thereby removing the burden for an administrator of the interconnecting network [para. 0004].

Theimer and Hauduc disclose all the limitations as described above, but fail to specifically disclose about when data of a menu is updated in the web browser, driving, by the embedded web server of the mobile phone, the CGI AND/OR ASP

program of the mobile phone to generate a command enabling communication between the mobile telephone and the telecommunication system, and updating the same data updated in the mobile telephone according to the command.

However Henry discloses a method over an interconnecting network using a web browser to manually make changes to the configuration of a digital transmitter device using an embedded-web server in the digital transmitter device (para. 0004, 0013, 0014, and 0037). Henry further discloses using a Web browser to edit and update the menu pages by which the configuration information is controlled. The updated configuration is eventually updated in the digital transmitter device (see para. 0013, 0014). Thus it would have been obvious to a person with ordinary skill in the art at the time the invention was made to modify the teaching of Theimer and Hauduc by incorporating Henry's idea for the purpose of synchronizing the web browser with data on mobile phones by updating the data of the menu on the mobile phone via the web browser, thereby removing the burden for an administrator of the interconnecting network [para. 0004].

Claims 4-5 substantially incorporate all the limitations of claims 1-3. The reasons for the rejection of claims 1-3 apply to claims 4-5. Therefore claims 4-5 are rejected for substantially the same reasons.

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Regarding claims 6-7, Theimer further discloses wherein said command includes a standard protocol for communication between the mobile telephone and the telecommunication system using the web browser [col. 4, lines 16-25].

Claim 8 is of the same scope as claim 2. It is rejected for the same reason as for claim 2.

Claims 9-14 are of the same scope as claims 3-8. They are rejected for the same reasons as for claims 3-8.

8. Claims 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Theimer (US 6,519,241 B1, hereinafter Theimer), in view of Hauduc et al. (US 6,993,568 B1, hereinafter Hauduc) and Henry et al (US 2003/0195952 A1, hereinafter Henry), and further in view of Parry (US 7,002,703 B2, hereinafter Parry).

Regarding claim 15, Theimer, Hauduc, and Henry disclose the claimed invention except for specifically disclose that displaying the homepage of the mobile telephone on a web browser of a telecommunication system further comprises receiving a website address of the mobile telephone in the web browser to access the mobile telephone. However, displaying the homepage of a device by entering the URL or the website address of the device is well known in the art, as evidenced by Parry [see col. 11, lines 22-34]. It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate Parry's teaching into Theimer's, Hauduc's, and Henry's system since entering the URL or the website address of the mobile telephone



on a web browser of a telecommunication system is the most direct way of accessing the homepage of the mobile telephone.

Claims 16-17 are of the same scope as claim 15. They are rejected for the same reasons as for claim 15.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

**Examiner's Note:** Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially

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teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL C. LAI whose telephone number is (571)270-3236. The examiner can normally be reached on M-F 8:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael C. Lai  
31OCT2010

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Primary Examiner, Art Unit 2457